

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SALVATORE FERRAGAMO S.P.A.,

Plaintiff,

v.

JOHN DOES 1-56,

Defendants.

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18 CV 12069-JPO

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

This action was commenced on December 20, 2018, with the filing of a summons and complaint. A copy of the summons and complaint was served on the defendants by e-mail pursuant to the Court's Order [Dkt. 7]. An affidavit of service is on file with the Court [Dkt. 11]. The Defendants' Answer or other response to the Complaint was due by no later than twenty-one days after service of the Complaint, March 1, 2019. [Dkt. 11].

Plaintiff has not been served with any valid response to the Complaint, no Defendant has answered, nor has any Defendant requested an extension of time in which to answer, nor has any counsel made an appearance on any of the Defendants' behalf. [Dkt. 21, 22, 24].

Now, the Court, having reviewed the Complaint and other pleadings in the record, the Declarations of Joseph Gioconda, Esq. (and the exhibits submitted therewith) in support of the Plaintiff's Motion for a Default Judgment and Permanent Injunction against the Defendants,

HEREBY FINDS that Plaintiff has offered evidence that it is the owner of several valid and enforceable federally registered trademarks (the "Ferragamo Trademarks"), including the following registrations:

U.S. Registration Number	Trademark	Registration Date	International Classes
1,016,032	SALVATORE FERRAGAMO	July 15, 1975	18
1,208,600		Sept. 14, 1982	26
1,338,774		June 4, 1985	18
1,505,915		Sept. 27, 1988	18
1,609,161		Aug. 7, 1990	25
1,819,930		Feb. 8, 1994	18, 25
2,051,981		April 15, 1997	25
2,401,250	FERRAGAMO	Nov. 7, 2000	9
2,421,020	FERRAGAMO	Jan. 16, 2001	35
2,574,883		June 4, 2002	9

2,859,772		July 6, 2004	14
3,499,389		June 24, 2008	18, 25
3,673,307		Aug. 25, 2009	35

FURTHER FINDS THAT, as set forth in the Complaint, Plaintiff has demonstrated that the Defendants are entities and individuals that operated large, fluid networks of Internet websites, to offer for sale and/or sell products bearing counterfeits of the Ferragamo Trademarks to consumers in the United States, in New York and this Judicial District, using various domain names, many of which incorporated one or more of the Ferragamo Trademarks; and

FURTHER FINDS THAT each of the Defendants are liable for federal trademark counterfeiting and infringement under 15 U.S.C. § 1114, false designation of origin under 15 U.S.C. § 1125(a), trademark dilution under 15 U.S.C. § 1125(c), and trademark infringement and unfair competition in violation of federal and state law; and

FURTHER FINDS THAT several of the Defendants registered Infringing Domain Names incorporating Ferragamo Trademarks, nearly all of which wholly include the famous FERRAGAMO® word mark, or a confusingly similar variant thereof in violation of the AntiCybersquatting Consumer Protection Act; 15 U.S.C. § 1125(d)(1); and

SO IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that pursuant to 15 U.S.C. § 1117(c)(2) and (d)(1) the Plaintiff be awarded statutory damages in the total amount of **\$2,800,000** from the Defendants, to be assessed against each Defendant in the following liquidated amount: **\$50,000 from each of the fifty-six (56) Defendants.**

IT IS FURTHER ORDERED THAT in whole or partial satisfaction of the judgment, Plaintiff is entitled to any of the Defendants' monies or property, wherever they may be found, including funds in any accounts held by third party PayPal that are owned, used or controlled by any of the Defendants; and

IT IS FURTHER ORDERED THAT pursuant to 15 U.S.C. § 1116 the Defendants, and their officers, agents, servants, employees, attorneys, and all those in active concert or participation with them, are hereby **PERMANENTLY ENJOINED** from:

- a. Using any reproduction, counterfeit, copy, or colorable imitation of the Ferragamo Trademarks for and in connection with any goods or their packaging not authorized by Plaintiff;
- b. Engaging in any course of conduct likely to cause confusion, deception, or mistake, or to injure Plaintiff's business reputation or dilute the distinctive quality of the Ferragamo Trademarks;
- c. Using any false description or representation, including words or other symbols tending falsely to describe or represent Defendants' unauthorized goods or their packaging as being Plaintiff's, or sponsored by or associated with Plaintiff, and from offering such goods into commerce;
- d. Further infringing the Ferragamo Trademarks by manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising,

promoting, renting, displaying, or otherwise disposing of any products or their packaging not authorized by Plaintiff that bear any simulation, reproduction, counterfeit, copy, or colorable imitation of the Ferragamo Trademarks;

- e. Using any simulation, reproduction, counterfeit, copy, or colorable imitation of the Ferragamo Trademarks in connection with the promotion, advertisement, display, sale, offering for sale, manufacture, production, circulation, or distribution of any Counterfeit Merchandise or its packaging in such fashion as to relate or connect, or tend to relate or connect, such products in any way to Plaintiff, or to any goods sold, manufactured, sponsored, approved by, or connected with Plaintiff;
- f. Making any statement or representation whatsoever, or using any false designation of origin or false description, or performing any act, which may or is likely to lead the trade or public, or individual members thereof, to believe that any products manufactured, distributed, or sold by Defendants are in any manner associated or connected with Plaintiff, or are sold, manufactured, licensed, sponsored, approved, or authorized by Plaintiff;
- g. Infringing the Ferragamo Trademarks or Plaintiff's rights therein, or using or exploiting the Ferragamo Trademarks, or diluting the Ferragamo Trademarks;
- h. Secreting, destroying, altering, removing, or otherwise dealing with the unauthorized products or any books or records that contain any information relating to the importing, manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising, promoting, renting, or

displaying of all Counterfeit Merchandise that infringes or dilutes the Ferragamo Trademarks; and

- i. Effecting assignments or transfers, forming new entities or associations, or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in any Final Judgment or Order in this action; and
- j. Creating, registering, using, linking, transferring, selling, exercising control over, or otherwise owning the Domain Names, or any domain name that incorporates, in whole or in part, any of the Ferragamo Trademarks, or any confusingly similar variation thereof; and

IT IS FURTHER ORDERED that the Internet Registry for each of the Domain Names listed in Exhibit A attached hereto, permanently transfer the Domain Names to an Internet Registrar of Plaintiff's choice; and

IT IS FINALLY ORDERED that Plaintiff shall complete service of this Order on the Defendants by electronic mail to the addresses set forth in Exhibit B hereto, which Plaintiff has demonstrated will provide adequate notice to the Defendants pursuant to Fed. R. Civ. P. 4(f)(3); and

Defendants are hereby given further notice that they shall be deemed to have actual notice of the issuance and terms of such Permanent Injunction and any act by them or any one of them in violation of any of the terms thereof may be considered and prosecuted as contempt of this Court.

SO ORDERED:



J. PAUL OETKEN
United States District Judge

Date: February 18, 2020

EXHIBIT A

DEFENDANTS' DOMAIN NAMES

1. adnike.com
2. offerbeltr.com
3. beltsoutletes.com
4. offercheapbelts.com
5. bamaoutletus.com
6. offerbelts.com
7. bnsale.com
8. buychinasupplier.com
9. buyme2016.com
10. china-direct-buy.com
11. china1factory.com
12. chinakicksoutlet.com
13. notgy.com
14. egetwholesale.com
15. factoryshoeswholesale.com
16. factoriesneakers.com
17. fashion4show.com
18. fashionbagsriana.net
19. hotbrandseller.com
20. intrustshop.com
21. lovebagstrade.com
22. lovebrandshop.com
23. nicolestore.com
24. shoestrade wholesale.com
25. sportshoeswholesale.net
26. sunnyshoesshop.com
27. wholesale1500.com
28. wholesaleshoecrafts.com
29. wosaky.com
30. cheapferragamobelts.com
31. cheerspiritstuff.com
32. forohoster.com
33. techhollywood.org
34. ferragamo-italia.com
35. ferragamo-sales.com
36. ferragamo-singapores.com
37. ferragamo-outlet.com
38. new-ferragamo.com
39. emiledanero.com
40. ferragamooutlet.org
41. ferragamosale.org
42. golots.net

43. ferragamo-shoes.net
44. salvatoreferragamoshop.com
45. ferragamoshoponline.com
46. salvatoreferragamoukshop.com
47. clearancesalvatoreferragamo.com
48. salvatoreferragamobelt.com
49. ferragamooutletitaly.com
50. ferragamobeltprice.com
51. 1ferragamo.net
52. salvatoreferragamo-sale.com
53. ferragamo-france.com
54. ferragamoprezzi.com
55. salvatoreferragamo-italia.com
56. ferragamo-chaussures.com
57. jandmfitness.com
58. watchemporio.com
59. thedotafm.com
60. replicashop6s.com
61. wowbestreplica.com
62. aaaareplicasunglasses.com
63. onestop798.com
64. hotshop66.com
65. gdcht.com
66. meitima.com
67. zhxst.com
68. freetimesale.com
69. gdhttp.com
70. miqiclothing.com
71. 1designerbelt.com
72. afterforeverwebseries.com
73. benzinoosales.com
74. chickenonelm.com
75. cindywiltcolville.com
76. eaglesoll.com
77. essenceofluxurys.com
78. greenchairsolutions.com
79. houstonsoriginal.com
80. imitationcheapprice.com
81. leanladiescamp.com
82. oolsell.com
83. replicaclass.com
84. labelpolo.net
85. carnevaledelraybeach.com
86. freddarlingstudio.com
87. murphybrookfieldbooks.com
88. plumberonthewayva.com

- 89. sgonazalezp12.com
- 90. beldecatering.com
- 91. replicaferragamobelts.org
- 92. fakeferragamobelt.org
- 93. canneshotelstoday.com
- 94. toprepkicks.com
- 95. kellyzetler.com
- 96. trauma2.com
- 97. pharellwilliamshappy.com
- 98. rekhachakraborty.com
- 99. edutracerp.com
- 100. 7abagbag.com
- 101. Danyalengineering.com

EXHIBIT B:
DEFENDANTS' EMAIL ADDRESSES

- 1 chris200578@hotmail.com
s200578@hotmail.com
Sales@adnike.com
thomas200578@hotmail.com
- 2 25886316@qq.com
alofedddd@126.com
olfeee@126.com
xigen30901@126.com
- 3 akinsalexander1982@gmail.com
ali_7@abv.bg
CARUSEX@GMAIL.COM
konstantinovicdragana@yahoo.com
nargo18@yahoo.com
rose_babakhanian@yahoo.com
- 4 3248597578@qq.com
brandseller@hotmail.com
chengxigang@outlook.com
dorachenwholesale@qq.com
egetfashion@aliyun.com
factoryshoeswholesale@hotmail.com
goodshoetrade@outlook.com
intrustshop@hotmail.com
lovebagstrade@hotmail.com

- lovebrandshop@outlook.com
newfashionhandbags@hotmail.com
nicolestore88@hotmail.com
polo@diyworld.com
qiqifashionshop@hotmail.com
shoestrade wholesale@hotmail.com
teenessentialz@yahoo.com
topbrandbiz01@hotmail.com
topbrandbiz01@hotmail.com
wholesale1500@foxmail.com
wholesale250@hotmail.com
yongerjing@163.com
- 5** ferrari.zheng@gmail.com
wosaky@qq.com
- 6** solo92315@163.com
- 7** wumeiyun668@gmail.com
- 8** dt14888@sohu.com
- 9** dcpserviceyou@gmail.com
guaourenyuan805@163.com
liuchunshan24689@hotmail.com
yundongshoes@163.com
- 10** aceserviceonline@hotmail.com
linyooo130@163.com
- 11** golots@gmail.com
Golotsservice@gmail.com

i.zc@qq.com
service@golots.com
12 dbcomment42@163.com
13 customercareteam@onlinestoreforsale.com
helponlineforsaleshop@outlook.com
13 mrdavis944@outlook.com
14 bodfeo@163.com
serviceonlineforhelp@hotmail.com
15 rush-kicks@hotmail.com
16 zzqtrade3@gmail.com
17 raudenbupfjdcnis@hotmail.com
17 damqlxugcom@hotmail.com
18 c1n16w@139.com
19 info@watchemporio.com
support@watchemporio.com
20 vdf6892013@yeah.net
21 jonejihui@gmail.com
lisadalia10@gmail.com
22 replicashop777@gmail.com
23 1016647465@qq.com
myname@example.com
Sherry.86urbanwear@msn.com
trade-Lynn@hotmail.com
24 app@fr-fr.in
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onestop999@yahoo.cn
onestop999mary@hotmail.com
- 25** 19868165@qq.com
chinastarshop@hotmail.com
e.g.abc@abc.com
irdatacorp@gmail.com
natureecommercecoltd@gmail.com
- 26** qiqicntrade@hotmail.com
- 27** business2customers@gmail.com
- 28** sishenlao497395@163.com
- 29** benzinoosales.com@contactprivacy.com
- 30** contact@privacyprotect.org
- 31** rongshua47605@yeah.net
- 32** contact@privacyprotect.org
- 33** chenxi0420944@sohu.com
- 34** jialunang4062840@163.com
- 35** dku5514896@yeah.net
- 36** perfectreplicastore@hotmail.com
wang8223538@gmail.com
- 37** zhaoyijia7451297@163.com
- 38** 1416676602@qq.com
olsell@hotmail.com
olselltrade@gmail.com

- 39 Lisa1682011@hotmail.com
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- 40 service@todaynic.com
- 41 tuzhang027495@163.com
- 42 ousonglaozhe1yc@163.com
- 43 jutun4410485@163.com
- 44 contact@privacyprotect.org
- 45 dun172624478@163.com
- 46 guala9193718@163.com
- 47 422804058@qq.com
- 48 yubiren7395175@163.com
- 49 814899675@qq.com
- 50 xia47206283951zr@163.com
- 51 hanggoucai73951b@163.com
- 52 zipunuo016406284@163.com
- 53 panshuitun8317@163.com
- 54 qzm8580409@yeah.net
- 55 bagbagseller@gmail.com
- 56 zu37043@139.com